

To: MS Patent Application  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

NEW APPLICATION TRANSMITTAL  
UTILITY

Sir:

Transmitted herewith for filing is a **utility** patent application:

**Inventor(s):** Christian Miculka, Norbert Windhab, Tilmann Brandstetter, and Gerhard Burdinski

**Title:** PENTOPYRANOSYL NUCLEOSIDE, AND PRODUCTION AND USE OF THE SAME

1. **PAPERS ENCLOSED HEREWITH FOR FILING:**

64 Page(s) of Specification  
1 Page(s) Claims  
1 Page(s) Abstract  
4 Sheets of Drawings      Informal   X   Formal

2. **ADDITIONAL PAPERS ENCLOSED IN CONNECTION WITH THIS FILING:**

- ☐ Power of Attorney  
☐ Declaration  
☐ Assignment to Nanogen Recognomics GmbH and assignment cover sheet.  
☐ Verified Statement establishing "**Small Entity**" under 37 CFR §§ 1.9 and 1.27  
☐ Request and Certification under 35 U.S.C. § 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35  
☐ Priority Document No(s):

CERTIFICATE OF MAILING (37 C.F.R. §1.10)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as 'Express Mail Post Office To Addressee' (Label No. EV337189767US) in an envelope addressed to the Commissioner for Patents, PO Box 1450 Alexandria, VA 22313-1450.

August 19, 2003  
Date of Deposit  
IR1:1046767.1

Cynthia B. Pacheco  
Cynthia B. Pacheco

- ☐ Information Disclosure Statement w/PTO 1449      ☐ References  
☐ Preliminary Amendment

3. **THE FILING FEE HAS BEEN CALCULATED AS SHOWN BELOW:**

<b>BASIC FILING FEE:</b>				<b>\$750.00</b>
Total Claims	2	- 20	= 0 x \$22	\$0.00
Independent Claims	1	- 3	= 0 x \$82	\$0.00
Multiple Dependent Claims				\$270 (if applicable)
<b>TOTAL OF ABOVE CALCULATIONS</b>				<b>\$750.00</b>
Reduction by ½ for Filing by Small Entity. Note 37 CFR 1.9, 1.27, 1.28. If applicable, Verified Statement must be attached.				(\$0.00)
Misc. Filing Fees (Recordation of Assignment)				\$375.00
<b>TOTAL FEES SUBMITTED HERewith</b>				<b>\$0.00</b>

4. **METHOD OF PAYMENT OF FEES**

- ☐ A check in the amount of \$0.00.  
☐ Charge Deposit Account No. **50-0639** in the amount of \$ 0.00.  
☒ This application is being filed without fee or Declaration under 37 CFR § 1.53

5. **AUTHORIZATION TO CHARGE FEES TO DEPOSIT ACCOUNT 50-0639**

- ☐ 37 CFR 1.16(a)(f) or (g) – **(Filing fees)**  
☐ 37 CFR 1.16(a), (c) and (d) – **(Presentation of Extra Claims)**  
☐ 37 CFR 1.16(e) – **(Surcharge for filing the basic filing fee and/or Declaration on a date later than the filing date of the application)**  
☐ 37 CFR 1.17 – **(Any Application processing fees)**  
☐ Credit Deposit Account No. **50-0639** for overpayment of fees

Respectfully submitted,

O'MELVENY & MYERS LLP

Dated: August 19, 2003

By: Diane K. Wong  
Diane K. Wong  
Reg. No. 54,550  
Attorneys for Applicant

114 Pacifica, Suite 100  
Irvine, CA 92618-3315  
(949) 737-2900